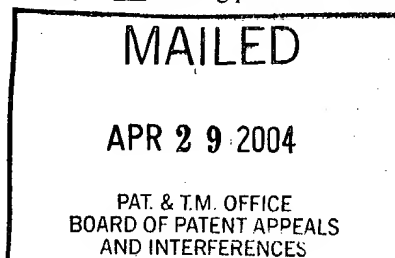


The opinion in support of the decision being
entered today is not binding precedent of the Board.

Filed by: Judge Sally C. Medley
Administrative Patent Judge
Mail Stop Interference
P.O. Box 1450
Alexandria, VA 22313-1450
Tel: 703-308-9797
Fax: 703-305-0942



Paper 1

Filed
29 April 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MATTHEW JOSEPH CAREY, ERIC EDWARD FULLERTON,
BRUCE ALVIN GURNEY, HAL JERVIS ROSEN
and MANFRED ERNST SCHABES

Junior Party,
(Patent 6,280,813),

v.

E. NOEL ABARRA, IWAO OKAMOTO,
and YOSHIFUMI MIZOSHITA

Senior Party,
(Application 09/425,788).

Patent Interference No. 105,156

DECLARATION
(37 CFR § 1.611)

Part A. Declaration of interference

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties.

Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this NOTICE DECLARING INTERFERENCE.

Part B. Judge designated to handle the interference

Administrative Patent Judge Sally C. Medley has been designated to handle the interference. 37 CFR § 1.610(a).

Part C. Standing order

A Trial Section STANDING ORDER accompanies this NOTICE DECLARING INTERFERENCE. The STANDING ORDER applies to this interference.

The Board is conducting a DVD pilot project. A copy of the procedure is attached to this order.

Part D. Conference call to set dates

A telephone conference call to set dates for taking action in the interference is scheduled for **1:30 p.m. on 24 June 2004** (the call will be initiated from the PTO).

No later than **two business days** prior to the conference call, each party shall file and serve by facsimile a list of the preliminary motions the party intends to file. See STANDING ORDER ¶ 10.

A copy of a "sample" order setting times for taking action during the preliminary motion phase of the interference accompanies the NOTICE DECLARING INTERFERENCE.

A copy of default times for taking action during the preliminary motion phase of the interference accompanies the NOTICE DECLARING INTERFERENCE. Counsel should be prepared to justify altering the default times.

The Board is conducting an electronic filing pilot project. A copy of the procedure is attached to this order. Counsel should be prepared to discuss participation in the pilot project.

Part E. The parties involved in this interference are:

Junior Party

Named inventor: MATTHEW JOSEPH CAREY, San Jose, California
ERIC EDWARD FULLERTON, Morgan Hill, California
BRUCE ALVIN GURNEY, San Rafael, California
HAL JERVIS ROSEN, Los Gatos, California
MANFRED ERNST SCHABES, San Jose, California

Patent: 6,280,813, issued 28 August 2001, based on
application 09/416,364, filed 8 October 1999

Title: Magnetic recording media with antiferromagnetically coupled
ferromagnetic films as the recording layer

Assignee: IBM Corporation

Accorded Benefit: None

Attorneys: See last page

Address: See last page

Senior Party

Named Inventor: E. NOEL ABARRA, Kawasaki-Shi, Japan
IWAOKAMOTO, Kawasaki-Shi, Japan
YOSHIFUMI MIZOSHITA, Kawasaki-Shi, Japan

Application: 09/425,788, filed 22 October 1999 (IFW Image)

Title: Magnetic recording medium and magnetic storage apparatus

Assignee: Fujitsu Limited

Accorded Benefit: Japan 11-161329, filed 8 June 1999

Attorneys: See last page

Address: See last page

Part F. Counts and claims of the parties

Count 1

Claim 12 of Abarra Application 09/425,788

or

Claim 2 of Chapman Patent 6,280,813

The claims of the parties are:

Carey:	1-18
Abarra:	1-12 and 19-25

The claims of the parties which correspond to Count 1 are:

Carey:	1-18
Abarra:	1-12 and 19-25

The claims of the parties which do not correspond to Count 1 are:

Carey:	none
Abarra:	none

Part G. Heading to be used on papers

The following heading shall be used on papers filed in the interference. See
¶ 3.5 of the STANDING ORDER.

Paper _____¹

Filed on behalf of [name of party]

By: Name of lead counsel, Esq.

Name of backup counsel, Esq.

Street address

City, State, and Zip-Code

Tel:

Fax:

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

(Administrative Patent Judge Sally C. Medley)

MATTHEW JOSEPH CAREY, ERIC EDWARD FULLERTON,
BRUCE ALVIN GURNEY, HAL JERVIS ROSEN
and MANFRED ERNST SCHABES

Junior Party,
(Patent 6,280,813),

v.

E. NOEL ABARRA, IWAO OKAMOTO,
and YOSHIFUMI MIZOSHITA

Senior Party,
(Application 09/425,788).

Patent Interference No. 105,156

TITLE OF PAPER

¹ Leave a blank line because the board assigns the paper number.

Part H. Summary of dates for taking action

Times for taking action are set out in the following sections of the STANDING ORDER:

- ¶ 4: date for identifying lead and backup counsel.
- ¶ 5: date for identifying any real party in interest.
- ¶ 6: date for requesting copies of involved and benefit applications and patents.
- ¶ 7: date for accomplishing certain discovery.
- ¶ 8: date for filing clean copy of claims.
- ¶ 9: date for filing clean copy of claims in cases with drawings or claims containing a means plus function limitation.
- ¶ 10: date for filing list of proposed preliminary motions.
- ¶ 13.10.2: dates for filing oppositions to Rule 635 miscellaneous motions and dates for filing replies to oppositions.
- ¶ 14.1.1: date for objecting to admissibility of evidence.
- ¶ 14.2: date for serving supplemental affidavits or evidence to respond to objection to admissibility of evidence.
- ¶ 14.3: dates when cross-examination can take place.
- ¶ 15.2: dates for taking action with respect to settlement discussions.

Part I. Order form for requesting file copies

FILE COPY REQUEST

Interference 105,156

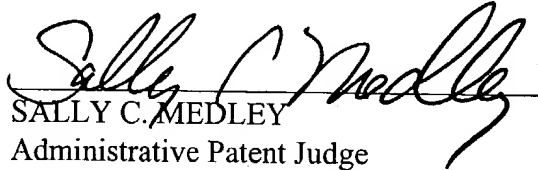
A copy of Part E of this NOTICE DECLARING INTERFERENCE should be attached to this FILE COPY REQUEST, with a circle by hand around the patents and applications for which a copy of a file wrapper is desired.

To facilitate processing of this FILE COPY REQUEST, the following information should be included:

1. Charge fees to USPTO Deposit Account No. _____
2. Complete address, including street, city, state, zip code and telephone number (do not list a Post Office box inasmuch as file copies are sent via commercial overnight courier).

Telephone, including area code: _____

Part J. Signature of administrative patent judge


SALLY C. MEDLEY
Administrative Patent Judge

Date: 4/29/04
Arlington, VA

Enc:

Copy of STANDING ORDER.

Copy of order used for setting times for taking action in the preliminary motion phase of the interference (ORDERPM6).

Copy of order used for setting times for taking action in the testimony and briefing phases of the interference (ORDERTE6).

PTO Form 850.

Copy U.S. Patent 6,280,813.

Copy of application claims 09/425,788.

Copy of spreadsheet containing times normally used by the Trial Section in setting times for taking action during the preliminary motion and priority phases of the interference.

Copy of e-filing pilot project order.

Copy of DVD pilot project order.

cc (via Federal Express):

Attorney for CAREY:

IBM CORPORATION
Intellectual Property Law
650 Harry Road (C4TA/J2B)
San Jose, CA 95120-6099

Attorney for ABARRA:

Patrick G. Burns, Esq.
GREER BURNS & CRAIN LTD
300 South Wacker Drive
Suite 2500
Chicago, IL 60606